

12-15-03

1644

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Avi ASHKENAZI, et al.

Application Serial No. 09/902,713

Filed: July 10, 2001

For: **ANTIBODIES TO PRO269  
POLYPEPTIDES**

Examiner: Roark, Jessica H.

Art Unit: 1644

Attorney's Docket No. 39780-1618 P2C34

**Customer No. 35489****EXPRESS MAIL LABEL NO. EL 992 479 770 US**

Date Mailed: December 12, 2003

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Supplemental Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form Supplemental PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-1618P2C34)**.

Respectfully submitted,

By: Leslie A. Mooi  
Leslie A. Mooi (Reg. No. 37,047)

Dated: December 12, 2003

**HELLER EHRMAN WHITE & McAULIFFE LLP**  
275 Middlefield Road  
Menlo Park, CA 94025-3506  
(650) 324-7000  
**Customer No. 35489**



<b>SUPPLEMENTAL FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  (use several sheets if necessary)	Attorney's Docket No. 39780-1618 P2C34	Application Serial No. 09/902,713
	Applicant(s) <b>Avi ASHKENAZI, et al.</b>	
Filing Date: July 10, 2001		Group Art Unit: 1644

**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO
	1.	4/11/73	1313412	Ota, Isao				

**OTHER DOCUMENTS**

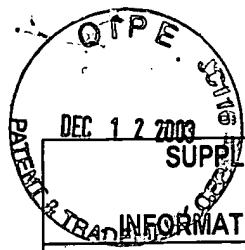
(including author, title, date, pertinent pages, etc.)

Examiner Initials	Ref. No.	Title
	2. ✓	Branch, TIBS, 23: 45-50 (1998)
	3.	Dayoff, P_ABU54363, US2002132240-A1 (19-SEP-2002)
	4.	Dayoff, P_ABU64515, US2002160374-A1 (31-OCT-2002)
	5.	Dayoff, PABU59828, US2003017563-A1 (23-JAN-2003)
	6.	Dayoff, P_ABU67361, US2003023054-A1 (30-JAN-2003)
	7.	Dayoff, P_ABU67023, US2003032155-A1 (13-FEB-2003)
	8.	Dayoff, P_ABU66747, US2003036180-A1 (20-FEB-2003)
	9.	Dayoff, P_ABU71907, US2003003530-A1 (02-JAN-2003)
	10.	Dayoff, P_ABU71461, US2002192659-A1 (19-DEC-2002)
	11.	Dayoff, P_ABU69638, US2003017463-A1 (23-JAN-2003)
	12.	Dayoff, P_ABR47831, WO200295010-A2 (28-NOV-2002)
	13.	Dayoff, P_ABU81047, US2003004311-A1 (02-JAN-2003)
	14.	Dayoff, P_ABU71606, US2002146709-A1 (10-OCT-2002)
	15.	Dayoff, P_ABO01790, US2002197671-A1 (26-DEC-2002)
	16.	Dayoff, P_ABO14820, US2003027143-A1 (06-FEB-2003)
	17.	Dayoff, P_ABO25018, US2003036179-A1 (20-FEB-2003)
	18.	Dayoff, P_ABO17793, US2003032156-A1 (13-FEB-2003)
	19.	Dayoff, P_ABO17571, US2003064923-A1 (03-APR-2003)
	20.	Dayoff, P_ABO17510, US2003064367-A1 (03-APR-2003)
	21.	Dayoff, P_ABO14881, US2003036060-A1 (20-FEB-2003)
	22.	Dayoff, P_AAU86134, WO200153486-A1 (26-JUL-2001)
	23.	Dayoff, P_AAE06596, WO200149728-A2 (12-JUL-2001)
	24.	Dayoff, P_AAU12349, WO200140466-A2 (07-JUN-2001)
	25.	Dayoff, P_AAY95016, WO200011015-A1 (02-MAR-2000)
	26.	Dayoff, P_AAB24403, WO200032221-A2 (08-JUN-2000)
	27.	Dayoff, P_AAB33460, WO200053758-A2 (14-SEPT-2000)
	28.	Dayoff, P_AAY13360, WO9914328-A2 (25-MAR-1999)
	29.	Dayoff, CAD62342 (Submitted 30-JAN-2003)
	30.	Dayoff, CAC51170, Kateo, S. WO 0149728-A (12-JUL-2001)
	31.	Dayoff, NP_778230 Li, "Full Length cDNA Libraries and Normalization"

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).



SUPPLEMENTAL FORM PTO-1449

Attorney's Docket No. 39780-1618 P2C34

Application Serial No. 09/902,713

## INFORMATION DISCLOSURE STATEMENT

Applicant(s)

Avi ASHKENAZI, et al.

Filing Date: July 10, 2001

Group Art Unit: 1644

(use several sheets if necessary)

## OTHER DOCUMENTS

(including author, title, date, pertinent pages, etc.)

- |     |  |
|-----|--|
| 32. | Dayoff, CN27-Human Li, "Full Length cDNA Libraries and Normalization" (11 JAN 2003)  |
| 33. | Dayoff, P_ABP43556, WO200231111-A2 (18-APR-2002)   |
| 34. | Dayoff, AAH31567, Strausberg, R. (Submitted 06-JUN-2002)   |
| 35. | Dayoff, P_AAB80228, WO200104311-A1 (18-JAN-2001)   |
| 36. | EST database Accession No. AI307166 q179c06.x1 Soares_NhHMPu-S1 Homo Sapiens cDNA Clone IMAGE: 1878538 3' available 29 January 1999. |
| 37. | GenBank, P_ACA58974, US2002146709-A1 (10-OCT-2002)   |
| 38. | GenBank, P_ACD07478, US2002197671-A1 (26-DEC-2002)   |
| 39. | GenBank, P_ACD19721, US2003027143-A1 (06-FEB 2003)   |
| 40. | GenBank, P_ACD41972, US2003036179-A1 (20-FEB-2003)   |
| 41. | GenBank, P_ACD24030, US2003032156-A1 (13-FEB-2003)   |
| 42. | GenBank, P-ACD23569, US2003064923-A1 (03-APR-2003)   |
| 43. | GenBank, P_ACD23207, US2003064367-A1 (03-APR-2003)   |
| 44. | GenBank, P_ACD20083, US2003036060-A1 (20-FEB-2003)   |
| 45. | GenBank, P_ABK40260, WO200153486-A1 (26-JUL-2001)  |
| 46. | GenBank, P_ACA67171, US2003004311-A1 (02-JAN-2003)   |
| 47. | GenBank, P_ACA03780, US2003036180-A1 (20-FEB-2003)   |
| 48. | GenBank, P_ACA60078, US2003003530-A1 (02-JAN-2003)   |
| 49. | GenBank, P-ACA58371, US2002192659-A1 (19-DEC-2002)   |
| 50. | GenBank, P_ACA54886, US2003017463-A1 (23-JAN-2003)   |
| 51. | GenBank, P_ACA04201, US2003032155-A1 (13-FEB-2003)   |
| 52. | GenBank, P-ABX89318, US2003017563-A1 (23-JAN-2003)   |
| 53. | GenBank, P_ACA05416, US2003023054-A1 (30-JAN-2003)   |
| 54. | GenBank, P_ABX96095, US2002160374-A1 (31-OCT-2002)   |
| 55. | GenBank, P_ABX71526, US2002132240-A1 (19-SEP-2002)   |
| 56. | GenBank, P_AAX52231, WO9914328-A2 (25-MAR-1999)  |
| 57. | GenBank, P_AAS21421, WO200140466-A2 (07-JUN-2001)  |
| 58. | GenBank, P_AAA77570, WO200032221-A2 (08-JUN-2000)  |
| 59. | GenBank, P_AFF72389, WO200104311-A1 (18-JAN-2001)  |
| 60. | GenBank, AX464222, WO 0140466-A 355 (07-JUN-2001)  |
| 61. | GenBank, AX697504, WO 0104311-A 95 (18-JAN-2001)   |
| 62. | GenBank, BD075446, JP 2001516580-A 79 (02-OCT-2001)  |
| 63. | GenBank, BD175297, JP 2002253280-A 79 (10-SEP-2002)  |
| 64. | GenBank, BD172306, JP 2002223786-A 79 (13-AUG-2002)  |
| 65. | GenBank, BD172625, JP 2002238586-A 79 (27-AUG-2002)  |
| 66. | GenBank, BD172944, JP 2002238587-A 79 (27-AUG-2002)  |
| 67. | GenBank, BD173263, JP 2002238588-A 79 (27-AUG-2002)  |
| 68. | GenBank, AX201334, WO 0153486-A 13 (26-JUL-2001)   |
| 69. | GenBank, CNS01RHG, Heilig, R. (Submitted 21-NOV-2001)  |
| 70. | GenBank, P_AAC58625, WO200053758-A2 (14-SEP-2000)  |
| 71. | GenBank, CNS07EEV, Heilig, R. (Submitted 28-APR-2001)  |
| 72. | GenBank, CNSLT115K, Li, W.B. (Submitted 30-JAN-2003)   |
| 73. | GenBank, NM_175060, Li, W.B. (PRI 07-SEP-2003)   |
| 74. | GenBank, P_AAA23458, WO20011015-A1 (02-MAR-2000)   |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).

